

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Kristopher Lee Roybal,

No. 21-cv-2026 (KMM/ECW)

Petitioner,

v.

ORDER

Paul Schnell, Comm'r of Corrections,

Respondent.

On August 22, 2023, United States Magistrate Judge Elizabeth Cowan Wright issued a Report and Recommendation (“R&R”) concerning the habeas petition filed by Petitioner Kristopher Lee Roybal. Under Fed. R. Civ. P. 72(b)(2), Mr. Roybal had 14 days to file specific written objections to the R&R. *See also* D. Minn. LR 72.2(b)(1). The Court did not receive Mr. Roybal’s objections by September 5th, but his Objection to Report and Recommendation was received on September 19th. [Doc. No. 45.] Mr. Roybal explains that on September 12th, the Objection to the Report and Recommendation was returned to him in an envelope that had been post-marked August 28, 2023. He asks the Court to consider his objections despite being submitted beyond the 14-day deadline. Mr. Roybal’s motion [Doc. No. 43] is **GRANTED** and his objections will be considered. Respondent is directed to submit any response to Mr. Roybal’s objections within 14 days of the date of this Order.

Date: September 20, 2023

s/Katherine Menendez

Katherine Menendez

United States District Judge